

**REMARKS**

Applicants acknowledge with appreciation the withdrawal of the previously stated basis for rejection.

Reconsideration of presently solicited Claims 1, 2, 4 to 7, 9 and 10 respectfully is requested. For the reasons indicated hereinafter these claims are urged to be in condition for allowance.

At Page 3 of the Official Action dependent Claims 3 and 8 were indicated to be allowable if rewritten in independent form. In an effort to expedite prosecution the subject matter of dependent Claim 3 now is present in Claim 2, and independent Claim 1 has been amended to specify the presence of "N" in all instances. Also, the subject matter of dependent Claim 8 now is present in Claim 7, and independent Claim 6 has been amended to specify the presence of "N" in all instances.

The continued rejection of presently solicited claims under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) over the different teachings of U.S. Patent No. 5,755,949 to Shindo would be lacking a sound basis. Shindo in all instances contemplates the formation of a different composition of matter which lacks the presence of "N" as presently claimed. As indicated in Applicants' Specification, the ionic conductivity and electrochemical stability are advantageously increased when nitrogen is present. Applicants' improved solid electrolyte and battery technology is neither disclosed for remotely suggested. The withdrawal of this sole rejection is in order and respectfully is requested.

If there is any remaining point that requires clarification prior to the allowance of the Application, the Examiner is urged to telephone the undersigned attorney so that the matter can be discussed and resolved.

Respectfully submitted,

Buchanan Ingersoll & Rooney PC

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By: 

Benton S. Duffett, Jr.

Registration No. 22,030

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620